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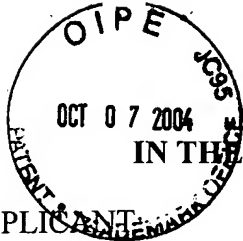
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>	Application Number	10/824,043	
	Filing Date	April 13, 2004	
	First Named Inventor	Thomas J. Maginot	
	Group Art Unit Number	3738	
	Examiner Name	Paul B. Prebilic	
Total Number of Pages in This Submission	9*	Attorney Docket Number	22220-09031

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REMARKS: \* No. of pages does not include pages of cited references

SIGNATURE OF ATTORNEY OR AGENT		
Signature:	<i>Albert C. Smith</i>	
Attorney/Reg. No.:	Albert C. Smith/ Reg. No. 20,355	Dated: 10/5/04

CERTIFICATE OF MAILING		
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.		
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Thomas J. Maginot  
APPLICATION NO.: 10/824,043  
FILING DATE: April 13, 2004  
TITLE: ENDOSCOPIC BYPASS GRAFTING METHOD UTILIZING AN  
INGUINAL APPROACH  
EXAMINER: Paul B. Prebilic  
GROUP ART UNIT: 3738  
ATTY. DKT. NO.: 22220-09031

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By: Albert C. Smith  
Albert C. Smith, Reg. No.: 20,355

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**INFORMATION DISCLOSURE STATEMENT**

**Under 37 CFR §§ 1.56 and 1.97-98**

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;

- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
  - ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained

in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. filed on, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☒ This application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed.
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

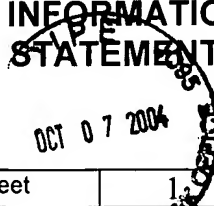
Consideration of the listed references and favorable action are solicited.

Respectfully submitted,  
THOMAS J. MAGINOT

Dated: 10/5/04

By: A.C. Smith  
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Substitute for form 1449A/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> 		Application No.	10/824,043
		Filing Date	April 13, 2004
		First Named Inventor	Thomas J. Maginot
		Art Unit	3738
		Examiner Name	Paul B. Prebilic
Sheet 1 of 5	Attorney Docket Number	22220-09031	

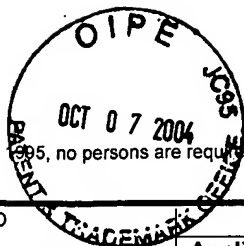
U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number – Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-2,935,068	05-03-1960	Donaldson
		US-3,435,824	04-01-1969	Gamponia
		US-3,516,408	06-23-1970	Montanti
		US-3,657,744	04-25-1972	Ersek
		US-3,710,777	01-16-1973	Sparks
		US-3,815,511	06-1974	Goldberg et al.
		US-3,853,126	12-1974	Schulte
		US-3,866,247	02-18-1975	Sparks, deceased
		US-3,908,663	09-1975	Viek
		US-3,997,923	12-1976	Possis
		US-4,061,134	12-1977	Samuels et al.
		US-4,118,806	10-10-1978	Porier et al.
		US-4,183,102	01-1980	Guiset
		US-4,190,909	03-1980	Ablaza
		US-4,366,819	01-04-1983	Kaster
		US-4,368,736	01-18-1983	Kaster
		US-4,382,445	05-1983	Sommers
		US-4,441,215	04-1984	Kaster
		US-4,447,227	05-1984	Kotsanis
		US-4,503,568	03-1985	Madras
		US-4,503,569	03-1985	Dotter
		US-4,523,592	06-18-1985	Daniel
		US-4,553,542	11-19-1985	Schenck et al.
		US-4,546,499	10-1985	Possis et al.
		US-4,562,597	01-1986	Possis et al.

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.



Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**Complete if Known**

Application No.	10/824,043
Filing Date	April 13, 2004
First Named Inventor	Thomas J. Maginot
Art Unit	3738
Examiner Name	Paul B. Prebilic
Attorney Docket Number	22220-09031

Sheet	2	of	5
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## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number – Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-4,577,631	03-25-1986	Kreamer
		US-4,577,631	03-25-1986	Kreamer
		US-4,617,932	10-21-1986	Kornberg
		US-4,655,771	04-1987	Wallsten
		US-4,743,251	05-10-1988	Barra
		US-4,747,405	05-31-1988	Leckrone
		US-4,747,407	05-31-1988	Liu et al.
		US-4,753,637	06-1988	Horneffer
		US-4,769,029	09-1988	Patel
		US-4,776,337	10-11-1988	Palmaz
		US-4,787,899	11-29-1988	Lazarus
		US-4,795,458	01-1989	Regan
		US-4,830,003	05-16-1989	Wolff et al.
		US-4,856,516	08-15-1989	Hillstead
		US-4,872,874	10-10-1989	Taheri
		US-4,890,612	01-02-1990	Kensey
		US-4,892,539	01-1990	Koch
		US-4,929,246	05-1990	Sinofsky
		US-4,938,740	07-1990	Melbin
		US-4,954,126	09-1990	Wallsten
		US-4,957,508	09-1990	Kameko et al.
		US-4,983,165	01-1991	Loiterman
		US-5,011,469	04-1991	Buckberg et al.
		US-5,035,702	07-30-1991	Taheri
		US-5,078,726	01-1992	Kreamer

Examiner Signature		Date Considered	
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application No.	10/824,043
				Filing Date	April 13, 2004
				First Named Inventor	Thomas J. Maginot
				Art Unit	3738
				Examiner Name	Paul B. Prebilio
Sheet	3	of	5	Attorney Docket Number	22220-09031

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number – Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US 5,078,735	01-1992	Mobin-Uddin
		US-5,156,619	10-20-1992	Ehrenfeld
		US-5,211,686	05-18-1993	Karlsen
		US-5,234,447	08-10-1993	Kaster et al.
		US-5,287,861	02-22-1994	Wilk
		US-5,330,451	07-19-1994	Gabbay
		US-5,336,233	08-09-1994	Chen
		US-5,360,443	11-1994	Barone et al.
		US-5,366,462	11-22-1994	Kaster et al.
		US-5,451,207	09-1995	Yock
		US-5,562,726	10-08-1996	Chuter
		US-6,387,119B2	05-14-2002	Wolf et al.

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> – Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
	B1	EP 0539237A1	04-28-93	Cook Incorporated	

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T <sup>6</sup>
	C1	Brothers, T.E. et al., <i>Long-term Results of Aortoiliac Reconstruction</i> ; Journal of Vascular and Interventional Radiology, November 1990; 1:49-55;			

Examiner Signature		Date Considered	
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22220/09031/DOCS/1469979.1

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				Filing Date	April 13, 2004
				First Named Inventor	Thomas J. Maginot
				Art Unit	3738
				Examiner Name	Paul B. Prebilic
Sheet	4	of	5	Attorney Docket Number	22220-09031

**OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	C2	Cosgrove, D.M., <i>Management of the Calcified Aorta; An Alternative Method of Occlusion</i> , Ann Thorac Surg. 36; 1983, pp. 18-719	
	C3	D'Agincourt, L., <i>Stents Aid PTA in Battle to Reduce Restenosis Rates</i> ; Diagnostic Imaging, July 1991; pp. 106-113	
	C4	Dubois, F. et al., <i>Coelioscopic Cholecystectomy</i> ; Annals of Surgery, January 1990; 211(1)60-62;	
	C5	Erath, H.G. et al., <i>Balloon Catheter Occlusion of the Ascending Aorta</i> , Ann thorac Surg. 35; 1983, pp. 560-561	
	C6	Foster, J.H. et al., <i>Proximal Control of Aorta with a Balloon Catheter</i> , Surg. Gynecology & Obstetrics; 1971, pp. 693-694	
	C7	Jacobs, M., et al., <i>Laparoscopic Choledocholithotomy</i> ; Journal of Laparoendoscopic Surgery (Mary Ann Liebert, Inc., Publishers), Volume 1, Number 2, 1991; pp. 79-82;	
	C8	Katzen, B.T., <i>Refinements Widen Utility of Interventional Devices</i> ; Diagnostic Imaging, May 1991; pp. 100-107	
	C9	Lumley, John S. P., <i>Color Atlas of Vascular Surgery</i> ; published by Wolfe Medical Publishers Ltd. of Baltimore, Maryland; 1986; pp. 9-42; 172-185	
	C10	Mirich, D. et al., <i>Percutaneously Placed Endovascular Grafts for Aortic Aneurysms: Feasibility Study</i> ; Radiology, 170; 1989, pp. 1033-1037	
	C11	Palmaz, J.C. et al., <i>Placement of Balloon-expandable Intraluminal Stents in Iliac Arteries: First 171 Procedures</i> ; Radiology, 174; 1990; pp. 969-975	
	C12	Perissat, J. et al., <i>Gallstones: Laparoscopic Treatment, Intracorporeal Lithotripsy Followed by Cholecystostomy or Cholecystectomy – A Personal Technique</i> ; Endoscopy 21, 1989; 21:373-374;	
	C13	Popp, Lothar W., <i>Improvement in Endoscopic Hernioplasty: Transcutaneous Aquadissection of the Musculofascial Defect and Preperitoneal Endoscopic Patch Repair</i> , Journal of Laparoendoscopic Surgery (Mary Ann Liebert, Inc., Publishers), Volume 1, Number 2, 1991, pp. 83-90;	
	C14	Reddick, Eddie J. et al., <i>Laparoscopic Laser Cholecystectomy</i> ; Laser Medicine and Surgery News and Advances, 1989; pp. 38-40;	
	C15	Rosch, J. et al., <i>Experimental Intrahepatic Portacaval Anastomosis: Use of Expandable Gianturco Stents</i> ; Radiology, 162, 1987; pp. 481-485	

Examiner Signature		Date Considered	
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				Art Unit	3738
				Examiner Name	Paul B. Prebilio
Sheet	5	of	5	Attorney Docket Number	22220-09031

**OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS**

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	C16	Rutherford, Robert B., <i>Vascular Surgery</i> ; W.B. Saunders Company, Harcourt Brace Jovanovich, Inc. (Philadelphia); 1989; pp. 404-408; 450-460; 667-691	
	C17	Salky, Barry A., <i>Laparoscopy for Surgeons</i> ; published by Igaku-Shoin Medical Publishers, Inc. of New York, New York (1990) pp. 1-16; 136-143;	
	C18	Sigwart, U. et al., <i>Intravascular Stents to Prevent Occlusion and Restenosis After Transluminal Angioplasty</i> ; New England Journal of Medicine, 316(12); 1987, pp. 701-706	

**Other Information**  
**U.S. Issued Patents by Thomas Maginot**

Examiner Initials*	Cite No. <sup>1</sup>	Document No.	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	D1	US-5,211,683	05-18-1993	Thomas Maginot
	D2	US-5,304,220	04-19-1994	Thomas Maginot
	D3	US-5,456,712	10-10-1995	Thomas Maginot
	D4	US-5,571,167	11-05-1996	Thomas Maginot
	D5	US-5,749,375	05-12-1998	Thomas Maginot
	D6	US-5,934,286	08-10-1999	Thomas Maginot
	D7	US-5,979,455	11-09-1999	Thomas Maginot
	D8	US-6,401,721B1	06-11-2002	Thomas Maginot
	D9	US-6,599,313B1	07-29-2003	Thomas Maginot

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